

Professional Technical Advisory Board

August 20, 2010

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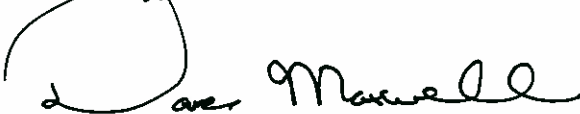
RE: PROFESSIONAL TECHNICAL ADVISOR WAIVER

The Executive Board of the Professional Technical Advisory Board (PTAB) has considered your request to have the staff of the New Mexico Environment Department - Construction Programs Bureau (CPB) review engineering request for proposals (RFPS) for adequacy under the New Mexico Procurement Code. The Board has considered this request against their waiver policy, which is attached.

The CPB staff is experienced in the review of RFPs and has received training regarding the Procurement Code requirements. The CPB currently administers over 700 projects, many of which require RFP review; this could place a burden on the limited PTAB resources. CPB has agreed to maintain a log, acceptable to PTAB, of RFPs granted a waiver and therefore reviewed. This log will be provided to PTAB on a quarterly basis. Under provisions of §13-1-117.2 of the Procurement Code, the Executive Board has the authority to waive appointment of a PTAB Professional Technical Advisor.

In consideration of the volume of work administered by the CPB, the extensive experience of the staff in reviewing RFPs, and the commitment to track and provide a log of RFPs reviewed, the Executive Board hereby grants a waiver to the CPB and authorizes it to complete RFP reviews in lieu of an appointed PTAB Professional Technical Advisor. This waiver is granted until rescinded by the Executive Board.

Sincerely,



David D. Maxwell, PE
PTAB Executive Board

Professional Technical Advisory Board

Professional Technical Advisory Board Waiver Policy

PTAB POLICY FOR ISSUING WAIVERS TO THE REQUIREMENT FOR INVOLVEMENT OF A PROFESSIONAL TECHNICAL ADVISOR UNDER §13-1-117.2 NMSA 1978

PTAB may waive the requirement for a professional technical advisor as provided for in §13-1-117.2 NMSA 1978, according to the following policy adopted by its Executive Board:

1. For State agencies that fund projects and routinely issue and or review requests for proposals (RFPs), when they demonstrate, to the satisfaction of PTAB, that agency staff have received specific training in the Qualification Based Selection (QBS) process contained in the State Procurement Code. The waiver may be granted as a general waiver for all projects for a period set by the Board and may be renewed with demonstration of continuing proficiency in QBS. PTAB reserves the right to monitor and audit the RFPs to ensure agency compliance.
2. For Public Procurement Officials that have completed a QBS training program approved by PTAB and have had at least one RFP reviewed by a professional technical advisor. The waiver must be requested for each project.
3. Those granted a waiver shall notify PTAB of all RFPs reviewed. Notification shall include: the project title, the lead agency, the professional discipline involved, and the date the project was advertised in a format provided or approved by PTAB. PTAB reserves the right to revoke the waiver at its discretion by providing written notice of same.